

R E M A R K S

Claims 1-35 are pending and under consideration. In the non-final Office Action of August 23, 2005, the Examiner made the following disposition:

- A.) Rejected claims 1-11 under 35 U.S.C. §112, second paragraph.
- B.) Commented on Applicants' claim for foreign priority.
- C.) Rejected claims 1-35 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Nishihara, et al. (U.S. Patent No. 6,026,427)* in view of *Shaylor (EP 0 955 584)*.

Applicants address the Examiner's disposition below.

- A.) Rejection of claims 1-11 under 35 U.S.C. §112, second paragraph:

Claim 1 has been amended as per the Examiner's request to overcome the rejection.

Claims 2-11 depend directly or indirectly from claim 1 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

- B.) Comment on Applicants' claim for foreign priority:

Applicants will submit a certified copy of the foreign priority application in a separate communication.

- C.) Rejection of claims 1-35 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Nishihara, et al. (U.S. Patent No. 6,026,427)* in view of *Shaylor (EP 0 955 584)*:

Applicants respectfully disagree with the rejection.

Independent claims 1, 12, 22, 23, 34, and 35 each claim subject matter relating to service calls that are generated by a plurality of threads at a server and received at a client. A synchronization call indicates that one of the threads executed at the server has changed and indicates a number of service calls generated by the threads at the server prior to the thread change. At least one of said service calls associated with the synchronization call is placed into a wait position, when the number of service calls indicated in the synchronization call and the number of service calls executed at the client prior to receiving the synchronization call differ.

In an illustrative example, if 10 service calls have been executed at the client prior to receiving the synchronization call, and the synchronization call indicates that a thread has changed and that 20 service calls have been generated by threads at the server, then at least one of the service calls is placed into a wait position. Thus, the 10 calls that have not been executed yet at the client can be waited in response to the thread having changed at the server.

This is clearly unlike *Nishihara* in view of *Shaylor*, which fails to disclose or suggest placing a service call that is associated with Applicants' claimed synchronization call into a wait position, when the number of service calls indicated in the synchronization call and the number of service calls executed at a client prior to receiving the synchronization call differ. *Nishihara* discloses a method for synchronizing communications between threads in a multiprocessor system. In *Nishihara*, threads can be waited in order to control their access to data and to synchronize on the values of data. To synchronize threads, *Nishihara* uses semaphores and condition variables. *Nishihara* 3:41-46. As described in *Nishihara*, "a semaphore allows processes, or threads, to synchronize by controlling their access to data." *Id.* at 3:42-43. In *Nishihara*, "a condition variable allows threads to synchronize on the value of the data. Cooperating threads wait until data reaches some particular state or until a particular event occurs." *Id.* at 3:43-46.

Unlike Applicants' claimed synchronization call, *Nishihara's* condition variable fails to disclose or suggest 1) that one of the threads executed at a server has changed and 2) a number of service calls generated by threads at a server prior to the thread change. Instead, *Nishihara's* condition variable merely identifies the number of waited threads and the number of signals issued by a thread. *Id.* at 3:32-40. *Nishihara* condition variable does not identify whether a thread has changed and does not identify a number of services calls generated prior to a thread change. Accordingly, *Nishihara* also fails to disclose or suggest placing a service call that is associated with a synchronization call into a wait position, when the number of service calls indicated in the synchronization call and the number of service calls executed at a client prior to receiving the synchronization call differ.

Shaylor also fails to disclose or suggest Applicants' claimed synchronization call and placing a service call into a wait position as claimed by Applicants. Therefore, *Nishihara* in view of *Shaylor* still fails to disclose or suggest claims 1, 12, 22, 23, 34, and 35.


Claims 2-11, 13-21, and 24-33 depend directly or indirectly from claims 1, 12, or 23 and are therefore allowable for at least the same reasons that claims 1, 12, and 23 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-35 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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